

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JACKIE GILBERT CROSS, JR.,)	
)	
Plaintiff,)	
)	
)	
vs.)	CASE NO. 3:12-1109
)	JUDGE CAMPBELL/KNOWLES
)	
METROPOLITAN GOVERNMENT)	
OF NASHVILLE/DAVIDSON)	
COUNTY, et al.,)	
)	
Defendants.)	

REPORT AND RECOMMENDATION


This matter is before the Court upon Defendants’ Motion to Stay Discovery (Docket No. 9), which Judge Campbell has referred to the undersigned for a Report and Recommendation (Docket No. 16). Defendants have filed a supporting Memorandum of Law. Docket No. 10. Plaintiff has filed a Response in Opposition to the Motion. Docket No. 22 and a supporting Affidavit (Docket No. 23). With leave of Court, Defendants have filed a Reply to Plaintiff’s Response. Docket No. 43.

In a subsequent filing headed “Joint Motion to Amend Case Management Order and Continue Trial Date” (Docket No. 44), the parties state that they “are in agreement that discovery shall proceed as to all parties except Defendant Steve Anderson, whose participation in discovery will depend on this Court’s resolution of his pending Motion to Renew Motion to Stay Discovery (Docket 38).” *Id.*, p. 1. In view of the parties’ agreement, the instant Motion to Stay Discovery (Docket No. 9) should be DENIED AS MOOT with regard to Defendants Metro

Government, William Loucks, T. Gene Donegan, and John and/or Jane Does.

The Court reserves ruling upon the instant Motion to Stay Discovery as it pertains to Defendant Steve Anderson, pending further filings by Defendant Anderson. *See* Docket No. 44, p. 1 n.1.

Under Rule 72(b) of the Federal Rules of Civil Procedure, any party has fourteen (14) days after service of this Report and Recommendation in which to file any written objections to this Recommendation with the District Court. Any party opposing said objections shall have fourteen (14) days after service of any objections filed to this Report in which to file any response to said objections. Failure to file specific objections within fourteen (14) days of service of this Report and Recommendation can constitute a waiver of further appeal of this Recommendation. *See Thomas v. Arn*, 474 U.S. 140, 106 S.Ct. 466, 88 L. Ed. 2d 435 (1985), *reh'g denied*, 474 U.S. 1111 (1986); 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72.



E. Clifton Knowles
United States Magistrate Judge